

REMARKS

Please reconsider this application in view of the above amendments and the following remarks.

- Claims 2-4, 10, 12, 18-20, and 24-26 are pending.
- Claims 2-4, 10, 12, 18-20, and 24-26 are rejected.

Applicant has amended the specification and the drawing as the Examiner required.

Applicant has amended the claims to recite the invention embodiment in which first regions and second regions exist as layers. Support for this amendment can be found in example 1.

Additionally, applicant has fixed a grammatical error in claim 12.

Finally, applicant has canceled all claims that were previously withdrawn in order to expedite allowance of the application.

Art-based Rejections

The Examiner has rejected all of the outstanding claims based on either 35 USC §102(b) or 35 USC §103(a) using Fearnot, U. S. Patent No. 5,609,629, D1, as a base reference.

D1 apparently does not teach putting a component for reducing infiltration of macrophages in a layer separate from a component for reducing or preventing the formation of thrombi, which applicant's claims, as amended, recite. Therefore, the claim amendments render the current rejection of certain claims as being anticipated by D1 moot. D1 does not teach every element of the outstanding claims, as amended. Please remove this rejection.

With respect to the obviousness-based rejections, the secondary references cited in paragraphs 5 and 6 of the current office action apparently do not supply the element missing from D1. Therefore, prima facie obviousness has not been made out for the claims rejected on obviousness grounds because any discussion of record fails to discuss the separation of the component for reducing infiltration of macrophages from the component for reducing or preventing the formation of thrombi. Please remove this rejection, as well.

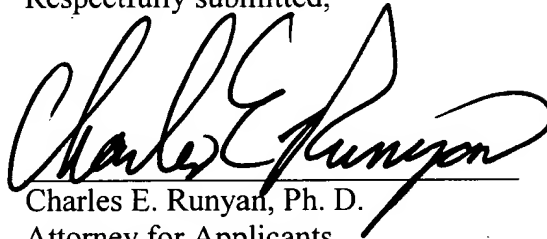
Since a prima facie case of obviousness has not been made out for any of the obviousness-rejected claims, as amended, applicant is under no duty to discuss the substance of the current obviousness-based rejections. But applicant traverses each of these rejections and does not acquiesce to them. Furthermore, applicant reserves the right to address the substance of each of these rejections in the future if a duty to do so arises.

Since all claims are in a condition for allowance, please issue a Notice of Allowability so stating. If I can be of any help, please contact me.

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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

Date: 01/04/05 By: Patricia J. Fumble
Name of person signing certification